

REMARKS

Claims 1-37 are pending. Claims 1, 11, 20, 27 and 29 have been amended.

Claims 1, 5, 9-11, 15, 16, 19-20, 23, 26-27, 31-32 and 36-37 were rejected under 35 U.S.C. § 103(a) over U.S. Patent 5,806,050 (Shinn et al.) in view of U.S. Patent Publication No. 2002/0091623 (Daniels) and further in view of U.S. Patent Publication No. 2002/0076048 (Hars). Claims 2-4, 12-14, 21-22 and 28-30 were rejected under 35 U.S.C. § 103(a) over Shinn et al. in view of Daniels in view of Hars and further in view of Official Notice taken by the Examiner. Claims 6, 17, 24 and 33-34 were rejected under 35 U.S.C. § 103(a) over Shinn et al. in view of Daniels in view of Hars and further in view of U.S. Patent 5,212,731 (Zimmermann). Claims 7-8, 18, 25 and 35 were rejected under 35 U.S.C. § 103(a) over Shinn et al. in view of Daniels in view of Hars and further in view of U.S. Patent 6,574,600 (Fishman et al.). Applicants traverse.

First, applicants maintain and incorporate by reference the arguments presented in the Amendment filed on August 28, 2008 that, even when combined, the references do not teach or suggest the features of the independent claims, and that one of ordinary skill in the art would not have combined them in any event. Applicants comment further below regarding the positions set forth in the final Office Action.

In the Response to Arguments, in section 4 of the Office Action, the Examiner took the position that in the independent claims, per the recited claim language, a trading floor could have only a single trader workstation, allowing an identifier of a trading floor to be identical to the identifier for the trader workstation. While applicants do not agree with this reasoning, claims 1, 11, 20 and 27 have been amended to explicitly recite that each trading floor has a plurality of trader workstations. For at least this additional reason, Daniels clearly does not teach the feature of these claims of a trading floor identifier unique to each trading floor.

With regard to the position in the final Office Action that one of ordinary skill in the field to which Shinn pertains would have looked to Hars, which relates to CD/DVD copy protection schemes, applicants respectfully, but strenuously, disagree. At section 5 of the Office Action, the

Examiner said “although Hars isn’t directly related to the trading field, Hars deals with preventing information from being passed illicitly.” However, this is not a reason for modifying *Shinn* with the teachings of Hars at all. *Shinn* does not relate to preventing information from being passed illicitly, and thus this cannot provide a reason for relating Hars with *Shinn*.

As the final Office Action acknowledges, it is applicants’ own specification that relates to preventing the passing of illicit information, and one of ordinary skill in the art *would not have known about applicants’ specification*. Thus, no reason or motivation *in the prior art* has been identified as to why one of ordinary skill in the art would have combined any of the cited techniques of Hars with those of *Shinn*, unless improper hindsight is used, that is, unless the applicants’ own invention is used as a blueprint for piecing together the prior art, which is completely improper. For at least this reason, the combination of *Shinn* and Hars is improper and no prima facie case of obviousness has been set forth as against any of the independent claims.

Moreover, without this alleged thread tying Hars and *Shinn* together, it is even more clear that these two references are completely unrelated. The field of electronic trading as disclosed in *Shinn* has nothing whatsoever to do with the field of preventing copy protection of CDs and DVDs, and as discussed above, there is no legally sufficient reason provided in the Office Action as to why those two references would have been combined at all, still less in the manner done in the Office Action, unless the applicants’ own specification were to be used to provide the reason for the combination. The prior art would have provided no reason to one of ordinary skill in the field to which *Shinn* pertains to combine its teaching with those of Hars.

Further, even if some reason were to be conceived to combine *Shinn* and Hars, the teachings of Hars would not work in the system of *Shinn*, and thus there would have been no reasonable expectation of success. In the system of Hars, a disruption is inserted into a digital recording to protect recordings from illicit or illegal processing. As mentioned in paragraphs [0037] and [0038] of Hars, two types of disruption are envisaged: (1) insertion of a filler, which may include a hum, an advertisement, a bell, or a beep, and (2) amplitude modulation in which the power (i.e. sound level) is slowly increased and then decayed.

As mentioned at page 2, line 35 to page 3, line 1 of the present application, the system of the present application is particularly aimed at addressing the problem of a trader placing a telephone handset next to a speaker to which prices are vocalized and at the other end of the telephone line, the prices are broadcast over a loudspeaker to the trader's customer. Of course, placing a telephone handset against a loudspeaker would produce very poor sound quality with many disruptions (perhaps including a hum and variations in sound level) at the other end and such an arrangement would also pick up background noise.

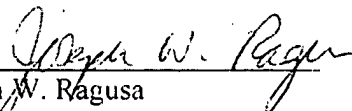
Therefore, if the type of disruption mentioned in Hars were added to the vocalized data of Shinn it *would not be noticed at the end when the sound was transmitted by telephone* and thus would *not help prevent illicit transmission*. The arrangement of Hars may work as an anti-pirating scheme for digital recordings, which is trying to prevent perfect digital copies being made (see paragraph [0008] of Hars). But where sound quality is not an issue, such as in the trading floor environment of Shinn, the system of Hars is irrelevant and would not work. For this additional reason, the combination of Shinn and Hars proposed in the Office Action is improper.

In view of the foregoing, and the arguments presented in the previous Amendment, the independent claims are believed patentable over the cited art. The dependent claims are believed patentable for at least the same reasons as their respective base claims.

In view of the above amendments and remarks, applicant believes the pending application is in condition for allowance.

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Respectfully submitted,

By 
Joseph W. Ragusa
Registration No.: 38,586
DICKSTEIN SHAPIRO LLP
1177 Avenue of the Americas
New York, New York 10036-2714
(212) 277-6500
Attorney for Applicant